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63I-4a-102 Definitions.

- (1)
- (a) "Activity" means to provide a good or service.
 - (b) "Activity" includes to:
 - (i) manufacture a good or service;
 - (ii) process a good or service;
 - (iii) sell a good or service;
 - (iv) offer for sale a good or service;
 - (v) rent a good or service;
 - (vi) lease a good or service;
 - (vii) deliver a good or service;
 - (viii) distribute a good or service; or
 - (ix) advertise a good or service.
- (2)
- (a) Except as provided in Subsection (2)(b), "agency" means:
 - (i) the state; or
 - (ii) an entity of the state including a department, office, division, authority, commission, or board.
 - (b) "Agency" does not include:
 - (i) the Legislature;
 - (ii) an entity or agency of the Legislature;
 - (iii) the state auditor;
 - (iv) the state treasurer;
 - (v) the Office of the Attorney General;
 - (vi) the Dairy Commission created in Title 4, Chapter 22, Dairy Promotion Act;
 - (vii) the Utah Science Center Authority created in Title 63H, Chapter 3, Utah Science Center Authority;
 - (viii) the Heber Valley Railroad Authority created in Title 63H, Chapter 4, Heber Valley Historic Railroad Authority;
 - (ix) the Utah State Railroad Museum Authority created in Title 63H, Chapter 5, Utah State Railroad Museum Authority;
 - (x) the Utah Housing Corporation created in Title 35A, Chapter 8, Part 7, Utah Housing Corporation Act;
 - (xi) the Utah State Fair Corporation created in Title 63H, Chapter 6, Utah State Fair Corporation Act;
 - (xii) the Workers' Compensation Fund created in Title 31A, Chapter 33, Workers' Compensation Fund;
 - (xiii) the Utah State Retirement Office created in Title 49, Chapter 11, Utah State Retirement Systems Administration;
 - (xiv) a charter school chartered by the State Charter School Board or a board of trustees of a higher education institution under Title 53A, Chapter 1a, Part 5, The Utah Charter Schools Act;
 - (xv) the Utah Schools for the Deaf and the Blind created in Title 53A, Chapter 25b, Utah Schools for the Deaf and the Blind;
 - (xvi) an institution of higher education as defined in Section 53B-3-102;

- (xvii) the School and Institutional Trust Lands Administration created in Title 53C, Chapter 1, Part 2, School and Institutional Trust Lands Administration;
 - (xviii) the Utah Communications Authority created in Title 63H, Chapter 7, Utah Communications Authority Act; or
 - (xix) the Utah Capital Investment Corporation created in Title 63M, Chapter 1, Part 12, Utah Venture Capital Enhancement Act.
- (3) "Agency head" means the chief administrative officer of an agency.
- (4) "Board" means the Free Market Protection and Privatization Board created in Section 63I-4a-202.
- (5) "Commercial activity" means to engage in an activity that can be obtained in whole or in part from a private enterprise.
- (6) "Local entity" means:
- (a) a political subdivision of the state, including a:
 - (i) county;
 - (ii) city;
 - (iii) town;
 - (iv) local school district;
 - (v) local district; or
 - (vi) special service district;
 - (b) an agency of an entity described in this Subsection (6), including a department, office, division, authority, commission, or board; or
 - (c) an entity created by an interlocal cooperative agreement under Title 11, Chapter 13, Interlocal Cooperation Act, between two or more entities described in this Subsection (6).
- (7) "Private enterprise" means a person that engages in an activity for profit.
- (8) "Privatize" means that an activity engaged in by an agency is transferred so that a private enterprise engages in the activity, including a transfer by:
- (a) contract;
 - (b) transfer of property; or
 - (c) another arrangement.
- (9) "Special district" means:
- (a) a local district, as defined in Section 17B-1-102;
 - (b) a special service district, as defined in Section 17D-1-102; or
 - (c) a conservation district, as defined in Section 17D-3-102.